

### REMARKS

Applicant requests favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

Claims 37-45 are presented for consideration. Claims 37 and 42 are independent. Claims 37-39 and 42 have been amended to clarify features of the subject invention, while claim 45 has been added to recite additional features of the subject invention. Support for these changes and this claim can be found in the original application, as filed. For example, the Examiner's attention is directed to the discussion in the subject specification on page 1 at lines 14- 21, on page 11, lines 10-17 and on page 22, lines 1-22, for support for the amendments to claim 37. Also, support for the amendments of claim 42, and new claim 45, can be found in Figures 5A and 5B of the original disclosure, and on page 30 with respect to a term of function  $K(L)$  in equation 1, as well as in the discussion on page 36 at line 1 to page 37, line 13. Therefore, no new matter has been added.

Applicant requests favorable reconsideration and withdrawal of the rejections set forth in the above-noted Office Action.

Claims 37-40 and 42-44 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,462,807 to Nishi. Claim 41 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the Nishi patent. Applicant submits that the cited art does not teach many features of the present invention, as previously recited in these claims. Therefore, these rejections are respectfully traversed. Nevertheless, Applicant submits that claims 37-45, for example, as presented, amplify the distinctions between the present invention and the cited art.

In one aspect of the present invention, independent claim 37 recites an exposure apparatus for performing exposure of a substrate to light via a pattern of a reticle. The apparatus

includes a reticle stage configured to hold the reticle and to move, a substrate stage configured to hold the substrate and to move, an interface configured to input information of a condition of the exposure, and a controller configured to select an exposure method to be performed from a first exposure method in which the exposure is performed while speeds of the reticle stage and the substrate stage are constant, and a second exposure method in which the exposure is performed while speeds of the reticle stage and the substrate state are changing, based on the input information.

In another aspect of the present invention, independent claim 42 recites an exposure apparatus for performing exposure of a substrate to light via a pattern of a reticle. The apparatus includes an interface configured to input information of a condition of the exposure, and a controller configured to select an exposure method to be used among a plurality of exposure methods so that a measure, required for exposure of a substrate, obtained with respect to a previous exposure of a substrate, is diverted, based on the input information.

Applicant submits that the cited art does not teach or suggest such features of the present invention, as recited in independent claims 37 and 42.

The Nishi patent relates to a scanning exposure apparatus that employs a first masking member to define a width of an illumination area and a second masking member to change the illumination area during movement of a mask and a substrate relative to illumination light during scanning exposure. The mask or the substrate is rotated about a predetermined point in the illumination area during the scanning exposure to correct a relative rotation error between the mask and the substrate.

In more detail, the scanning exposure apparatus in the Nishi patent is capable of selectively switching to a plurality of different exposure modes. Applicant submits, however,

that the Nishi patent does not teach or suggest salient features of Applicant's present invention, as recited in independent claims 37 and 42, such as a controller configured to select an exposure method to be performed from a first exposure, in which a the exposure is performed while speeds of the reticle stage on a substrate stage are constant, and a second exposure method in which the exposure is performed while speeds of the reticle stage and the substrate stage are changing, based on input information (independent claim 37) or a controller configured to select, among a plurality of exposure methods, an exposure method to be used to which correction data required for exposure of a substrate and obtained with respect to a previous exposure of a substrate can be diverted, based on input information.

In more detail, Applicant submits that the Nishi patent merely discusses performing a first exposure method, and does not teach or suggest performing a second exposure method in the manner of the present invention recited in independent claim 37. Further, Applicant submits that the Nishi patent is silent with respect to a configuration for selecting, among a plurality of exposure methods, an exposure method to be used to which correction data required for exposure of a substrate and obtained with respect to a previous substrate can be diverted, based on input information, in the manner of the present invention recited in independent claim 42. Accordingly, Applicant submits that the Nishi patent should not be read to anticipate or render obvious, Applicant's present invention, as recited in independent claims 37 and 42.

For the reasons noted above, Applicant submits that the present invention, as recited in independent claims 37 and 42, is patentably defined over the cited art.

Dependent claims 38-41, and 43-45 also should be deemed allowable, in their own right, for defining other patentable features of the present invention in addition to those recited in their respective independent claims. Individual consideration of these dependent claims is requested.

Applicant submits that the instant application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the above-noted Office Action and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven E. Warner", written over a horizontal line.

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